

Exhibit 1

Higgins, Christopher J.

April 5, 2014 6:55 PM

To: chonea@ghiplaw.com

[Hide Details](#)

Cc: bluespike@ghiplaw.com, rgarteiser@ghiplaw.com, AudibleMagic-BlueSpike, Walter Lackey, Eric Findlay, Radke, Sara, Armon, Orion, .PL.Dacus, Deron

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Re: Blue Spike v. Audible Magic, et al.

Chris,

Blue Spike promised revised infringement contentions by yesterday, but Audible Magic received nothing. Audible Magic's agreement to postpone the meet and confer on this issue was based on receiving revised infringement contentions on Friday. Blue Spike's intent is clearly to drag its feet and delay Audible Magic's motion. Indeed, the majority of the 32 asserted claims are those in which Blue Spike has alleged on nothing more than information and belief. Audible Magic has waited long enough and will proceed to file its motion to strike Blue Spike's baseless infringement contentions following Monday's meet and confer. If Blue Spike wishes to file revised infringement contentions prior to Audible Magic's motion, it must provide them to us by tomorrow. Otherwise, Blue Spike can submit any revised contentions with its response to Audible Magic's motion to strike or with an opposed motion for leave to amend.

Regards,
Chris

[See More from Christopher Honea](#)

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